RNTPC Paper No. A/HSK/173 For Consideration by the Rural and New Town Planning Committee on 16.8.2019

APPLICATION FOR RENEWAL OF PLANNING APPROVAL UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/173

| <u>Applicant</u> | : | Skywin International Development Limited represented by Metro Planning and Development Company Limited | | |
|--------------------|---|---|--|--|
| <u>Site</u> | : | Lots 3167 S.A (Part), 3167 S.B (Part), 3168 (Part), 3169 (Part), 3170 (Part), 3171 RP (Part), 3172 RP (Part), 3177 (Part), 3302 (Part), 3305 RP (Part), 3306 (Part), 3313 (Part), 3314 (Part), 3315 S.A and 3315 RP (Part) in D.D. 129 and Ad joining Government Land (GL), Ha Tsuen, Yuen Long | | |
| <u>Site Area</u> | : | About 8,910m ² (including about 1,157m ² of GL) | | |
| Lease | : | Block Government Lease (demised for agricultural use) | | |
| <u>Plan</u> | : | Approved Hung Shui Kiu and Ha Tsuen (HSK and HT) Outline Zoning Plan (OZP) No. S/HSK/2 | | |
| <u>Zoning</u> | : | "Government, Institution or Community" ("G/IC") (75%); and [restricted to maximum building height (BH) of 8 storeys and 50mPD] | | |
| | | an area shown as 'Road' (25%) | | |
| Application | : | Renewal of Planning Approval for Temporary Logistics Centre for a Period of 3 Years | | |

1. <u>The Proposal</u>

- 1.1 The applicant seeks renewal of planning approval to continue using the application site (the Site) for temporary logistics centre for a period of 3 years (**Plan A-1a**). The Site straddles over "G/IC" zone (75%) and an area shown as 'Road' (25%) on the approved HSK and HT OZP. According to the covering Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years within the zone requires planning permission from the Town Planning Board (the Board) notwithstanding that the use or development is not provided for under the Notes of the OZP. In any area shown as 'Road', all uses or developments require planning permission from the Board.
- 1.2 The Site is related to 7 previous applications (A/YL-HT/62, 139, 257, 411, 425, 663 and 1043) for various open storage and logistics centre uses. The last application No. A/YL-HT/1043 for the same applied use was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board for 3 years

on 14.9.2016. The applicant has complied with all the approval conditions. The planning permission is valid until 14.9.2019. Details of the previous applications are at paragraph 6 and **Appendix IV**.

- 1.3 The Site is accessible from Ping Ha Road and the ingress/egress point is located at the south western boundary of the Site (Drawing A-1 and Plan A-2). There are 4 temporary structures with a total floor area of not exceeding 5,925m² including a single storey temporary structure (not exceeding 11m in height and with a floor area of $5,570m^2$) for logistics centre use, a single storey water tank and pump house (not exceeding 4m high and with a floor area of not exceeding $91m^2$), a single storey guard room with a floor area of not exceeding $6m^2$ and a 2-storey temporary structure for site office with toilet and electricity meter room (not exceeding 7m and 3m high respectively and with a total floor area of not exceeding $258m^2$). loading/unloading bays for medium/heavy goods vehicle and 4 loading/unloading bays for container trailer are also proposed. The operation hours are from 7:00 a.m. to 11:00 p.m. from Mondays to Saturdays and no operation will be held on Sundays and public holidays. According to the applicant, sufficient manoeuvring space for medium/heavy goods vehicles will be provided within the Site. Also, the applicant undertakes to maintain to the existing drainage facilities at his own expense. The proposed layout plan, proposed landscape and tree preservation plan and as-built drainage plan are shown at Drawings A-1 to A-3 respectively.
- 1.4 The development parameters of the current application and the last approved application are the same and are summarised in the following table:

| Major Development Parameters | Last Approved Application (A/YL-HT/1043) | Current Application (A/HSK/173) | | |
|------------------------------------|--|------------------------------------|--|--|
| Site Area | 8,910m ² (About) | | | |
| Applied Use | Temporary Logistics Centre for a Period of 3 Years | | | |
| No. of Structure | 4 | | | |
| Total Floor Area | 5,925m ² (About) | | | |
| No. of | 8 | | | |
| Loading/Unloading | (4 for medium/heavy goods vehicles | | | |
| Spaces | and 4 for container trailers) | | | |
| Operation Hours | • 7:00 a.m. to 11:00 p.m. from Mondays to Saturda | | | |
| | no operation on Sund | ays and public holidays | | |

- 1.5 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form received on 19.6.2019 (Appendix I)
 - (b) Supplementary planning statement with proposed (Appendix Ia) vehicular access plan, layout plan, proposed landscape and tree preservation plan and as-built drainage plan

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the supplementary planning statement at **Appendix Ia**. They can be summarised as follows:

- (a) The proposed development falls within the Category 1 Areas under the TPB PG-No. 13E which states that the areas are considered suitable for open storage and port back-up uses subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions. The proposed development has fulfilled the guidelines.
- (b) The planning intentions of the "G/IC" zone and 'Road' area could not be realized within the coming 3 years because land resumption for the development of Hung Shui Kiu new town is yet to commence. The proposed temporary development would not jeopardise the long term planning intentions.
- (c) The Site has been occupied for various open storage uses since 1998 and the Site is adjoining 2 sizable logistics centres to the immediate north and south (Applications No. A/HSK/40 and 94), therefore, the proposed development is compatible with the surrounding environment.
- (d) The Board has approved similar developments adjoining to the Site, namely applications No. A/YL-HT/946 and 1049 and A/HSK/40 and 94 for open storage and port back up uses.
- (e) Peripheral planting, fencing and drainage facilities are proposed and a number of environmental mitigation measures to minimise the potential environmental impact including restricting opening hours from 7:00 a.m. to 11:00 p.m. from Mondays to Saturdays; no operation on Sundays and public holidays and no repairing, recycling, cleaning, dismantling work and workshop activity will be held at the Site.
- (f) Preliminary technical assessments have been provided to demonstrate that the development would not generate adverse traffic, drainage and environmental impacts on the surrounding areas. The application should therefore receive favourable consideration by the Board.

3. <u>Compliance with the "Owner's Consent/Notification" Requirements</u>

The applicant is not a "current land owner" but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the "Owner's Consent/Notification" Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31) by posting site notices and sending notice to the Ping Shan Rural Committee by registered mail. Detailed information would be deposited at the meeting for Members' inspection.

4. <u>Background</u>

The use is not subject to planning enforcement action. Follow-up investigation will be taken upon expiry of the current planning permission if the subject application is not approved by the Board.

5. <u>Town Planning Board Guidelines</u>

- 5.1 On 17.10.2008, the Board promulgated the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E). The Site falls within Category 1 areas under the Guidelines. Relevant extracts of the Guidelines are attached at **Appendix II**.
- 5.2 The Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No. 34C) are relevant to the application. Relevant extracts of the Guidelines are at **Appendix III**.

6. <u>Previous Applications</u>

- 6.1 The Site is the subject of 7 previous applications No. A/YL-HT/62, 139, 257, 411, 425, 663 and 1043 for various open storage and logistics centre uses. All of these applications were approved with conditions by the Committee from 1998 to 2016 for a period ranging from 12 months to 3 years. Among these, application No. A/YL-HT/425 was subsequently revoked due to non-compliance with approval conditions. Details of these applications are summarised at **Appendix IV** and their locations are shown on **Plan A-1b**.
- 6.2 The last approved application No. A/YL-HT/1043 for the same applied use as the current application was approved by the Committee on 14.9.2016 for a period of 3 years and valid until 14.9.2019. All the approval conditions had been complied with. Compared with the last application No. A/YL-HT/1043, the current application is submitted by the same applicant for the same use on the same site and the site layout and development parameters remain unchanged.

7. <u>Similar Applications</u>

There are 10 similar applications No. A/YL-HT/795, 808, 866, 898, 958, 962 and 1072 and No. A/HSK/40, 68 and 94 for temporary logistics centre with/without warehouse uses within the same "G/IC" zone on the approved HSK and HT OZP No. S/HSK/2 since the promulgation of TPB PG-No. 13E on 17.10.2008. All of these applications were approved by the Committee between 2012 and 2018 taking into consideration that the applied uses were not incompatible with the surrounding uses. Among them, 2 applications No. A/YL-HT/898 and 1072 were subsequently revoked due to non-compliance with approval conditions. Details of these applications are summarised at **Appendix V** and their locations are shown on **Plan A-1a**.

8. <u>The Site and Its Surrounding Areas</u> (Plans A-1a to A-4b)

- 8.1 The site is:
 - (a) currently being used for logistics centre under a valid planning permission No. A/YL-HT/1043; and
 - (b) accessible from Ping Ha Road via a local track (**Plans A-2** and **A-3**).

- 8.2 The surrounding areas have the following characteristics:
 - (a) to its immediate north is a logistics centre under a valid planning permission No. A/HSK/40;
 - (b) to the east in a piece of vegetated land;
 - (c) to its south is a logistics centre under a valid planning permission No. A/HSK/94; and
 - (d) to the west are a warehouse, two logistics centres under valid planning permissions No. A/HSK/68 and 69, two open storage yards and workshop and an isolated residential dwelling (about 69m away) along Ping Ha Road.

9. <u>Planning Intention</u>

The Site straddles over an area zoned "G/IC" and an area shown as 'Road' on the approved HSK and HT OZP. The planning intention of the "G/IC" zone is primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organisations providing social services to meet community needs, and other institutional establishments.

10. Comments from Relevant Government Departments

10.1 The following Government departments have been consulted and their views on the application are summarized as follows:

Land Administration

- 10.1.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):
 - (a) The Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government.
 - (b) The GL of the Site (about 1,157m²) is covered by Short Term Tenancy (STT) No. 3178 for the purpose of "Temporary Logistics Centre".
 - (c) The private lots which are covered by Short Term Waivers (STWs) in the Site are listed below:

| Lot No. in D.D. | STW | Purpose |
|-----------------|------|------------------------------------|
| 129 | No. | |
| 3169 | 3054 | Ancillary Use to Storage |
| 3170 | 4373 | Temporary Shop for Construction |
| | | Machinery Parts with Warehouse and |

| | | Workshop, Logistics Warehouse and |
|----------|------|--|
| | | Logistics Vehicles Back-Up Centre, and |
| | | Ancillary Site Office, Guard Room and |
| | | Staff Canteen |
| 3306 | 3904 | Temporary Logistics Centre and |
| 3313 | 3905 | Ancillary Tyre Repair Workshop |
| 3167 S.A | 4066 | Temporary Logistics Centre and |
| 3168 | 4067 | Ancillary Parking of Vehicles |
| 3177 | 4068 | |
| 3302 | 4585 | Temporary Logistics Centre and |
| 3305 RP | 4588 | Warehouse (Storage of Paper) |
| 3315 RP | 4589 | |
| 3167 S.B | 4957 | Temporary Logistics Centre |
| 3171 RP | 4958 | |
| 3314 | 4959 | |
| 3315 S.A | 4960 | |

- (d) The Site is accessible from Ping Ha Road through GL and private lots. Her office provides no maintenance work for the GL involved and does not guarantee any right-of-way to the Site.
- (e) The Site does not fall within Shek Kong Airfield Height Restriction Area.
- (f) Should planning approval be given to the subject planning application, the STT/STW holder(s) will need to apply to her office for modification of the STT/STW conditions where appropriate. The owner(s) of lots without STW will need to apply to her office to permit the structures to be erected or regularise any irregularity on site, if any. Besides, given the proposed use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. No construction of New Territories Exempted Building(s) will be considered or allowed. Application(s) for any of the above will be considered by her department acting in the capacity of the landlord or lessor as its sole discretion and there is no guarantee that such application(s) will be approved. If such application is approved, it would be subject to such terms and conditions, including among others, the payment of premium or fee, as may be imposed by LandsD.

<u>Traffic</u>

- 10.1.2 Comments of the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD):
 - (a) He has no adverse comment on the application from traffic engineering viewpoint.
 - (b) Sufficient manoeuvring space shall be provided within the Site. No vehicles are allowed to queue back to public roads or reverse onto/from public roads.
 - (c) The local track leading to the Site is not under his department's

purview. The applicant shall obtain consent of the owners/managing departments of the local track for using it as the vehicular access to the Site.

- 10.1.3 Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):
 - (a) The proposed access arrangement should be commented and approved by TD.
 - (b) Adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to the nearby public roads/drains.
 - (c) HyD shall not be responsible for the maintenance of any access connecting the Site and Ping Ha Road.

Environment

- 10.1.4 Comment of the Director of Environmental Protection (DEP):
 - (a) DEP does not support the application because there are sensitive users in vicinity of the site (the closest residential dwelling to the west is about 68m away) and along Ping Ha Road (**Plan A-2**) and the applied use will cause traffic of heavy vehicles; environmental nuisance is expected.
 - (b) No substantial environmental complaint pertaining to the Site has been received in the past three years.
 - (c) Should the planning application be approved, the applicant is advised to follow the relevant mitigation measures and requirements in the latest 'Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites' to minimise any potential environmental nuisances.

Drainage

- 10.1.5 Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):
 - (a) According to the applicant's submission, the existing drainage facilities which was implemented under an approved application No. A/YL-HT/1043 will be maintained for the subject development. He has no objection in principle to the application from a drainage point of view.
 - (b) Should the Board consider that the application is acceptable from the planning point of view, he would suggest imposing planning conditions requiring the applicant to maintain the existing drainage facilities and submit condition record of the existing drainage facilities to the satisfaction of his Division.
 - (c) The applicant is reminded that the required record should include

coloured photos showing the current condition of the drainage facilities and a layout plan indicating the locations of the photos taken. The submitted photos should cover all internal surface channels, catch pits, sand traps, manholes, terminal catch pits/manholes and the downstream discharge path as indicated on the submitted drainage proposal.

Building Matters

- 10.1.6 Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):
 - (a) There is no record of approval by the Building Authority for the existing structures at the Site.
 - (b) If the existing structures (not being a New Territories Exempted House) are erected on leased land without approval of BD, they are unauthorized building works (UBW) under the BO and should not be designated for any approved use under the application.
 - (c) For UBW erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the application site under the BO.
 - (d) Before any new building works (including containers/open shed as temporary buildings and land filling) are to be carried out on the application site, the prior approval and consent of the BD should be obtained, otherwise they are UBW. An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO.
 - (e) The Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulation 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively.
 - (f) If the Site does not abut on a specified street of not less than 4.5 m wide, its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage.

Fire Safety

- 10.1.7 Comments of the Director of Fire Services (D of FS):
 - (a) He has no objection in principle to the proposal subject to fire service installations (FSIs) being provided to his satisfaction.
 - (b) In consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to

him for approval.

- (c) The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSIs are to be installed should be clearly marked on the layout plans.
- (d) The applicant is reminded that if the proposed structure(s) is required to comply with the Building Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

Long Term Development

- 10.1.8 Comments of the Project Manager (New Territories West), Civil Engineering and Development Department (PM/NTW, CEDD):
 - (a) He has no objection to the proposed temporary use for 3 years, which should be considered in accordance with the provisions of the existing OZP and infrastructure capacities.
 - (b) The Site falls within the boundary of Hung Shui Kiu New Development Area (HSK NDA). According to the Planning and Engineering Study (P & E Study) for the HSK NDA, to ensure timely and orderly implementation, the development of HSK NDA and relevant site formation and infrastructure works would be implemented in five stages, via. Advance Works and Stage 1 to Stage 4. The lot(s) concerned fall within a site under Stages 3 Works Stage in the latest programme of HSK DNA. While the detailed implementation programme for the project is still being formulated, based on the P&E Study, it is envisaged that clearance of the Site will not be arranged before the first population intake of the HSK NDA expected in 2024.

District Officer's Comment

- 10.1.9 Comments of the District Officer (Yuen Long), Home Affairs Department (DO/YL, HAD):
 - (a) He has no comment on the application from departmental point of view.
 - (b) His office has not received any comment from locals on the application.

10.2 The following Government departments have no comment on the application:

- (a) Commissioner of Police (C of P);
- (b) Director of Agriculture, Fisheries and Conservation (DAFC); and
- (c) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD).

11. Public Comments Received During Statutory Publication Period

On 28.6.2019, the application was published for public inspection. During the first three weeks of the statutory public inspection period which ended on 19.7.2019, no public comment was received.

12. Planning Considerations and Assessment

- 12.1 The application is for renewal of the planning permission under previous Application No. A/YL-HT/1043 for a temporary logistics centre for a further period of 3 years. The Site straddling over "G/IC" zone (75%) and an area shown as 'Road' (25%) on the approved HSK and HT OZP. The planning intention of the "G/IC" zone is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. Whilst the proposed development is not in line with the planning intention of the "G/IC" zone and falls within an area shown as 'Road', the implementation programme for this part of NDA is still being formulated and PM/NTW of CEDD has no objection to the proposed temporary use for 3 years on the Site. In this regard, approval of the application on a temporary basis of 3 years would not jeopardize the long-term development of the Site. However, should the application be approved, it is suggested to include an advisory clause stating that the Site may be resumed by the Government at any time during the planning approval period for implementation of government projects.
- 12.2 The applied use for logistics centre is not incompatible with the surrounding areas of the Site which are predominantly occupied for logistics centre and open storage uses (**Plan A-2**).
- 12.3 The current application is for renewal of the planning permission under previous Application No. A/YL-HT/1043 for a temporary logistics centre for a further period of 3 years. Other than the Site have been rezoned from "Comprehensive Development Area" on the then Ha Tsuen OZP to the "G/IC" and areas shown as 'Road' on the current OZP, there has been no material change in planning circumstances of the Site and the surrounding areas since the granting of the previous renewal approval under Application No. A/YL-HT/1043. There is also no adverse comment from concerned departments except DEP (see paragraph 12.6 below). Compared with the last approved application No. A/YL-HT/1043, the current application is submitted by the same applicant and the approval conditions under previous approval have been complied with. The 3-year approval period sought is reasonable and of the same timeframe as the previous approval. In view of the above, the renewal application is generally in line with TPB PG-No. 34C.
- 12.4 The Site falls within Category 1 areas under the TPB PG-No. 13E. The following considerations in the Guidelines are relevant:

Category 1 areas: favourable consideration will normally be given to applications within these areas, subject to no major adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions. Technical assessments should be submitted if the proposed uses may cause significant environmental and traffic concerns.

12.5 The proposed development is generally in line with the TPB PG-No. 13E in that the Site falls within Category 1 areas which are considered suitable for open

storage and port back-up uses; relevant proposals have been submitted to demonstrate that the proposed use would not generate adverse impacts; and technical concerns of relevant Government departments could be addressed through the implementation of approval conditions.

- 12.6 There is no adverse comment from the concerned Government departments, except DEP. DEP does not support the application because there are sensitive uses in the vicinity (the closest residential dwelling to the west is about 68m away) and along Ping Ha Road (**Plan A-2**), and the applied use will cause traffic of heavy vehicles and environmental nuisance is expected. However, there was no substantive environmental complaint pertaining to the Site in the past three years. To address the concerns on the possible environmental nuisances or the technical requirements of the other concerned Government departments, relevant approval conditions are recommended in paragraph 13.2 below. Any non-compliance with these approval conditions would result in revocation of the planning permission and any unauthorised development on the Site would be subject to enforcement action by the Planning Authority. Should the application be approved, the applicant will be advised to follow the latest 'Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites' in order to minimise the possible environmental impacts on the nearby sensitive receivers.
- 12.7 The Committee has approved 7 previous applications for the various open storage uses at the Site (**Plan A-1b**) and 10 similar applications involving logistics use within the same "G/IC" zone since the promulgation of TPB PG-No. 13E on 17.10.2008 (**Plan A-1a**). Approval of the current application is in line with the Committee's previous decisions.
- 12.8 There is no public comment received during the statutory public inspection period.

13. <u>Planning Department's Views</u>

- 13.1 Based on the assessment made in paragraph 12 above, the Planning Department considers that the temporary logistics centre <u>could be tolerated</u> for a further period of 3 years.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of 3 years from <u>15.9.2019 until 14.9.2022</u>. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from the public road at all times during the planning approval period;
- (d) the existing boundary fencing on the site should be maintained at all times

during the planning approval period;

- (e) all existing trees and landscape plants on the Site shall be maintained at all times during the planning approval period;
- (f) the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (g) no repairing, recycling, cleaning, dismantling or workshop activities, as proposed by the applicant, are allowed at any time during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities within 3 months from the date of commencement of the renewal planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by <u>15.12.2019</u>;
- (i) the submission of fire service installations proposal within 6 months from the date of commencement of the renewal planning approval to the satisfaction of Director of Fire Services or of the Town Planning Board by <u>15.3.2020</u>;
- (j) in relation to (i) above, the implementation of fire service installations proposal within 9 months from the date of commencement of the renewal planning approval to the satisfaction of Director of Fire Services or of the Town Planning Board by <u>15.6.2020</u>;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning condition (h), (i) or (j) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

[Conditions (a), (b), (c), (f), (i) and (j) are all the same as the previous Application No. A/YL-HT/1043 while conditions (d), (e), and (h) have been revised to accord with the latest departmental comments and condition (g) has been added according to the applicant's proposal. Conditions that have been compiled with are not included]

Advisory clauses

The recommended advisory clauses are attached at Appendix VI.

- 13.3 Alternatively, should the Committee decide to reject the application, the following reasons for rejection are suggested for Members' reference:
 - (c) the development is not in line with the planning intention of the "G/IC" zone, which is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory; and

(d) the applicant fails to demonstrate that the development would not generate adverse environmental impacts on the surrounding areas.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission for renewal of the planning permission.
- 14.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.
- 14.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

15. Attachments

| Appendix I | Application Form received on 19.6.2019 | |
|-------------------|---|--|
| Appendix Ia | Supplementary planning statement with proposed vehicular access plan, layout plan, proposed landscape and tree preservation plan and as-built drainage plan | |
| Appendix II | Relevant extracts of Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E) | |
| Appendix III | Relevant extracts of Town Planning Board Guidelines for Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No. 34C) | |
| Appendix IV | Previous applications covering the Site | |
| Appendix V | Similar applications within the same "G/IC" zone on the approved Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/2 since the Promulgation of TPB PG-No. 13E on 17.10.2008 | |
| Appendix VI | Advisory Clauses | |
| Drawing A-1 | Proposed Layout Plan | |
| Drawing A-2 | Proposed Landscape and Tree Preservation Plan | |
| Drawing A-3 | As-built Drainage Plan | |
| Plan A-1a | Location Plan with Similar Applications | |
| Plan A-1b | Previous Applications Plan | |
| Plan A-2 | Site Plan | |
| Plan A-3 | Aerial Photo | |
| Plans A-4a and 4b | Site Photos | |

PLANNING DEPARTMENT AUGUST 2019